HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

W.P.No.19530 of 1999

Dated 19th day of July, 2006

Between:

T.M.Swamy ..
Petitioner

And

The Andhra Pradesh State Road Transport Corporation, rep. by its Vice-Chairman and Managing Director, Musheerabad, Hyderabad

..
Respondents

O R D E R:

This writ petition is filed for issuance of a writ of mandamus declaring the action of the respondents in not restoring the seniority of the petitioner from the date of his initial appointment i.e. from the year 1964, but restoring only from 20.10.1978 by virtue of the proceedings No.LC/785 (23)/98-ED:KR, dated 7.12.1998 issued by the 3rd respondent herein, as arbitrary, illegal, unreasonable and violative of Articles 14 and 16 of the Constitution of India and consequently to direct the respondents herein to restore the seniority of the petitioner from the date of his initial appointment.

A counter affidavit is filed wherein it is stated that it is a fact that the petitioner was appointed as Retainer Conductor on 11.11.1964, and he was removed from service on 12.8.1971 on account of certain irregularities, but in an appeal preferred by him, he was reinstated into service afresh with effect from 20.7.1978.

In the light of the averment made in the counter, the

services of the petitioner can be regularized only with effect from 20.10.1978, but not from 11.11.1964 as contended.

Hence, this Court is of the view that the petitioner is not entitled to the relief sought for, and accordingly, the Writ Petition is dismissed. No costs.

19.07.2006
bcj